

**Notice of Allowability**

Application No.

10/007,887

Examiner

Kuen S. Lu

Applicant(s)

HOSHI ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/27/2005.
2. ☒ The allowed claim(s) is/are 77-90 (re-numbered to 1-14).
3. ☒ The drawings filed on 05 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date #1 August 9, 2005.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**MOHAMMAD ALI**  
**PRIMARY EXAMINER**

### DETAILED ACTION

1. This communication is responsive to the Patent Application filed on November 5, 2001 and Amendments filed on May 27, 2005. The Amendments are considered.
2. Claims 77-91 are currently pending in the Application.

### *Examiner's Amendments*

3. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an Amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this Examiner's Amendment, listed below, was given in a telephone interview with Mr. Moonray Kojima, on August 9, 2005.

4. Please replace the claims 77, 81 and 91, filed on May 27, 2005, with the new versions as follows:

77. (new) An information delivery service system comprising:

a service section for operating and controlling the overall information delivery service system, said service section being connected to a computer network;

a plurality of nodes for viewing advertisement and information content and for providing profile data of each of a plurality of users, said plurality of nodes being connected to said network and there through to said service section and allocated with specific addresses which identify said plurality of users, said specific addresses being unique within said network; and

a plurality of terminal devices comprising an advertisement server and a content server, for said plurality of users that sign contracts with the service section regarding the quality of service provided by the service section, acquire the right of access to said plurality of users having profile desired by the plurality of terminal devices for said, plurality of users and the right to use a given method of access, and pay costs for the services; wherein

said service section comprises:

means for acquiring and analyzing profile data;

means for accessing data of each of said plurality of users;

means for acquiring and delivering advertisement and information content provided by said terminal devices for said plurality of users;

means for analyzing audience ratings in relation to information content;

means for measuring effectiveness of advertisement; and

means for billing advertisers; wherein said plurality of nodes comprises:

a sensor means having at least one sensor for measuring one or more physical quantities;

remote controller means for remote control;

a set top box means for receiving broadcast, advertisement and information content;

and

other types of nodes; and wherein

a user of the plurality of users declares limit of disclosure of profile data provided through one of said plurality of nodes against said service section; wherein

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said service section further comprises:

means for providing said plurality of users with step by step incentives according to each limit of profile data disclosure; and wherein

said service section further comprises:

means for registering or deleting user profiles;

means for executing a matching function, intermediary function, filtering function and node check function;

means for registering or changing node address; and

means for executing other processes while communicating with each of said plurality of nodes and terminal devices for said plurality of users through said network .

82. (new) An information delivery service system comprising:

a service section connected to a computer network;

a terminal connected to said network as an input terminal and comprising a display screen, said terminal comprising a browser in a remote controller node on said screen and indicates a timer record of a program of interest;

a program guide delivery company connectable to said network for regularly or irregularly delivering program guides according to an external instruction;

a recorder; and

said remote controller node for downloading program guides delivered from said company, and for saving information on date and time when each program starts and

ends and a channel number in a format suited for control by said remote controller node; and wherein

when a preset time occurs, said remote controller node sends out commands to said recorder according to a program information provided by said terminal to start recording and to stop recording when each time occurs; and wherein

said remote controller comprises:

a user authentication block;

a program guide processing block;

a storage block for storing program guide and reservation;

a reservation block for generating reservation signals; and

a command block for registration, storage and outputting of signals to said recorder.

91. (cancel).

***Reason for Allowable***

5. The following is the Examiner's statement of reasons for allowance:

In the Examiner's Office Action for non-Final Rejection of January 29, 2005, U.S.C. § 103 rejections was mainly based on references Kawasaki (U.S. Patent 6,539,375, "METHOD AND SYSTEM FOR GENERATING AND USING A COMPUTER USER'S PERSONAL INTEREST PROFILE") and in view of Das et al. (U.S. Patent 6,493,688, "APPARATUS FOR RECEIVING PROGRAMS", hereafter "Das").

The Applicant cancelled claims 1-76 and amended to claims 77-91 wherein the

independent claims 77 and 82 were drafted to more clearly define the invention and to more clearly overcome the combined teaching of Kawasaki and Das references. The Applicant further argued the cited references of Kawasaki, Das and Shteyn (U.S. Patent 6,782,253, "MOBILE MICRO PORTAL", hereafter "Shteyn") by individual or in combination generally teaches the use of broadcasting polling and data collection for audience of broadcast, and does not teach the specific implementation by using the specific combination of systems components accessible through the internet. Further, the Applicant agreed to cancel claim 91, in which the Examiner suggested having subject matter whose scope wider than the disclosure of two other independent claims 77 and 82.

Based on the Applicant's Amendments, filed on May 27, 2005 and a telephone interview conducted on August 9, 2005 authorizing the Examiner's amendment as previously described, the Application clearly distinguishes from prior art.

Based on further reviewing the above consideration and an update search conducted as described below, the Amendment filed on May 27, 2005 and further amended on August 9, 2005, is hereby considered and accepted.

Claims 78-81 and 83-90 are dependent on the Claims 78 and 82, respectively, and also distinct from the prior arts for the same reason.

After a search and a thorough examination of the present Application and in light of the prior arts, Claims 77-90 are allowed.

### ***Conclusions***

6. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

### ***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

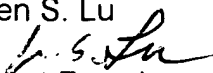
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free).

Kuen S. Lu



Patent Examiner

August 9, 2005



Mohammad Ali

Primary Examiner

August 9, 2005